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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 2821

UNITED STATES OF AMERICA, Plaintiff, v. **Carlos LOPEZ-Martinez** Defendant.	Magistrate Case No.__________ COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(2)(B)(ii)- Bringing in Illegal Alien(s) for Financial Gain Title 18, U.S.C., Section 2- Aiding and Abetting

The undersigned complainant being duly sworn states:

On or about **December 4, 2007**, within the Southern District of California, defendant **Carlos LOPEZ-Martinez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an aliens, namely, **Maria HERNANDEZ-Juarez** and **Gloria ACOSTA-Ruiz**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, U.S. Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 6th DAY OF **DECEMBER 2007.**

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Maria HERNANDEZ-Juarez** and **Gloria ACOSTA-Ruiz** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On December 4, 2007 at approximately 1700 hours **Carlos LOPEZ-Martinez (Defendant)** made application for admission into the United States at the Tecate, California Port of Entry as the driver of a red Volkswagen Jetta. Defendant presented a Border Crossing card bearing the name Raul OSUNA-Peraza to a Customs and Border Protection (CBP) Officer. Accompanying Defendant were two female passengers. Defendant presented a Border Crossing Card bearing the name Ma de la Luz DIAZ-Pizana on behalf of one female passenger and a Permanent Resident card bearing the name Josefina LIERA-Lopez on behalf of the other. The CBP Officer received a negative customs declaration from the Defendant. The CBP Officer observed that the vehicle Defendant was operating was the subject of a computer-generated referral and referred the vehicle and it's occupants to secondary inspection.

In secondary, it was determined that all occupants of the vehicle were imposters on the documents presented. All vehicle occupants were determined to be citizens of Mexico without entitlements to enter the United States. The two female passengers were identified **Maria HERNANDEZ-Juarez (Material Witness 1)** and **Gloria ACOSTA-Ruiz (Material Witness 2)**.

During a videotaped interview, MW1 admitted being a citizen of Mexico without any legal documentation to enter the United States. MW1 stated she purchased a Border Crossing Card for $350.00 to facilitate her entry into the United States. MW1 stated she made her smuggling arrangements with an unknown man and a woman. MW1 stated a friend was going to pay a fee of $3,000.00 USD to be smuggled into the United States. MW1 stated she was en route to Los Angeles, California.

During a videotaped interview, MW2 stated she is a citizen of Mexico without legal documents to enter or reside in the U.S. MW2 stated she purchased the document that was presented on her behalf for $90.00 USD in Tijuana, Mexico. MW2 stated that the man operating the vehicle stated to her and MW1 that they looked like the persons on the documents and they may be able to pass. MW2 stated that she gave the man driving the document presented on her behalf prior to them crossing the border. MW2 stated that the man instructed them not to get nervous. MW2 stated that she was en route to Los Angeles, California.